

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

Henry T. Bannister,)
Plaintiff,) Civil Action No. 3:12-cv-2247-CMC-JRM
v.)
CAROLYN W. COLVIN, Acting)
Commissioner of Social Security,)
Defendant.)

ORDER

The Defendant, Carolyn W. Colvin, Acting, Commissioner of Social Security, by her attorneys, William N. Nettles, United States Attorney for the District of South Carolina, and Barbara M. Bowens, Assistant United States Attorney, has moved this Court, pursuant to 42 U.S.C. ' 405(g), to enter a judgment with an order of reversal with remand of the cause to the Commissioner for further administrative proceedings. Plaintiff's counsel consents to Defendant's motion.

This case will be remanded to the agency's Appeals Council. The Appeals Council will remand to an ALJ with instructions to further evaluate Plaintiff's residual functional capacity, and in so doing, evaluate the opinions of all treating, non-treating and non-examining medical sources in the record, and explain the weight afforded to each opinion. Further, if appropriate, the ALJ will obtain vocational expert evidence to determine whether there are a significant number of jobs that Plaintiff can perform.

Pursuant to the power of this Court to enter a judgment affirming, modifying, or reversing the Commissioner's decision with remand in Social Security actions under sentence four of 42 U.S.C. ' 405(g), this Court hereby

A handwritten signature in blue ink, appearing to read "gbs".

REVERSES the Commissioner's decision under sentence four of 42 U.S.C. ' 405(g) with a **REMAND** of the cause to the Commissioner for further administrative proceedings as set out above.¹ *See Shalala v. Schaefer*, 509 U.S. 292 (1993).

AND IT IS SO ORDERED.



Joseph R. McCrorey
United States Magistrate Judge

July 29, 2013
Columbia, South Carolina

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The clerk of the Court will enter a separate judgment pursuant to the Federal Rules of Civil Procedure, Rule 58.